



City of Rockville  
111 Maryland Avenue  
Rockville, Maryland  
20850-2364  
www.rockvillemd.gov

240-314-5000  
TTY 240-314-8137

May 3, 2011

Francoise Carrier, Chair  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Annexation Petition ANX2011-00141  
Mayor and Council of Rockville, Petitioner

Dear Mr. Carrier:

According to reporting requirements, please find enclosed the Annexation Plan for the above-referenced Petition that is scheduled for public hearing before the Mayor and Council of Rockville on June 6, 2011. A copy of the Notice of Hearing is also enclosed.

If you have any questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink that reads "Brenda Bean". The signature is fluid and cursive.

Brenda Fitzpatrick Bean  
Deputy City Clerk

Enclosures

MAYOR  
Phyllis Marcuccio

COUNCIL  
John B. Britton  
Piotr Gajewski  
Bridget Donnell Newton  
Mark Pierzchala

CITY MANAGER  
Scott Ullery

CITY CLERK  
Glenda P. Evans

CITY ATTORNEY  
Debra Yerg Daniel



Francoise Carrier, Chair  
Montgomery Co Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

The Honorable Isiah Leggett  
Montgomery County Executive  
101 Monroe Street, 2nd Floor  
Rockville, Maryland 20850

The Honorable Nancy Floreen  
Montgomery County Council  
100 Maryland Avenue, 6th Floor  
Rockville, Maryland 20850

Richard Eberhart Hall, Secretary  
Maryland Department of Planning  
301 West Preston Street, #1101  
Baltimore, Maryland 21201

Peter Conrad, Director  
Local Government Assistance  
Maryland Department of Planning  
301 West Preston Street, #1101  
Baltimore, Maryland 21201

Richard Josephson, Director  
Director, Planning Services  
301 West Preston Street, #1101  
Baltimore, Maryland 21201-2305

Rollin Stanley, Planning Director  
MNCPPC  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Bruce Crispell, Director  
Long Range Planning  
Montgomery College Public Schools  
2096 Gaither Road, #201  
Rockville, Maryland 20850

Jerry Johnson, General Manager  
W S S C  
14501 Sweitzer Lane, 7th Floor  
Laurel, Maryland 20707

Scott Gutschick, Senior Planning  
Specialist  
Mont County Fire & Rescue  
101 Monroe Street 12th Floor  
Rockville, Maryland 20850

Commander McSwain  
MCPD - 1st District Station  
1451 Seven Locks Road  
Rockville, Maryland 20854

Mary Bradford, Director  
MNCPPC  
9500 Brunett Avenue  
Silver Spring, Maryland 20901

Adopted by the Mayor and Council of Rockville, at its meeting on May 2, 2011

## Annexation Plan

Annexation Case No: ANX2011-00141

This annexation plan is prepared as a result of the change in State law governing municipal annexation and planning (House Bill 1141)<sup>1</sup> Pursuant to Article 23A, Section 19 (o) of the Annotated Code of Maryland, the Annexation Plan shall include a description of the land use pattern proposed for the area to be annexed, demonstrate the available land for public facilities, describe the schedule for extending the public services and the anticipated means of financing the extension of services. The following description fulfills the requirement. The area proposed for annexation is within the City's Maximum Expansion Limits, as established in the City's Master Plan, the Municipal Growth Element, adopted in December 2010.

## General Information and Description

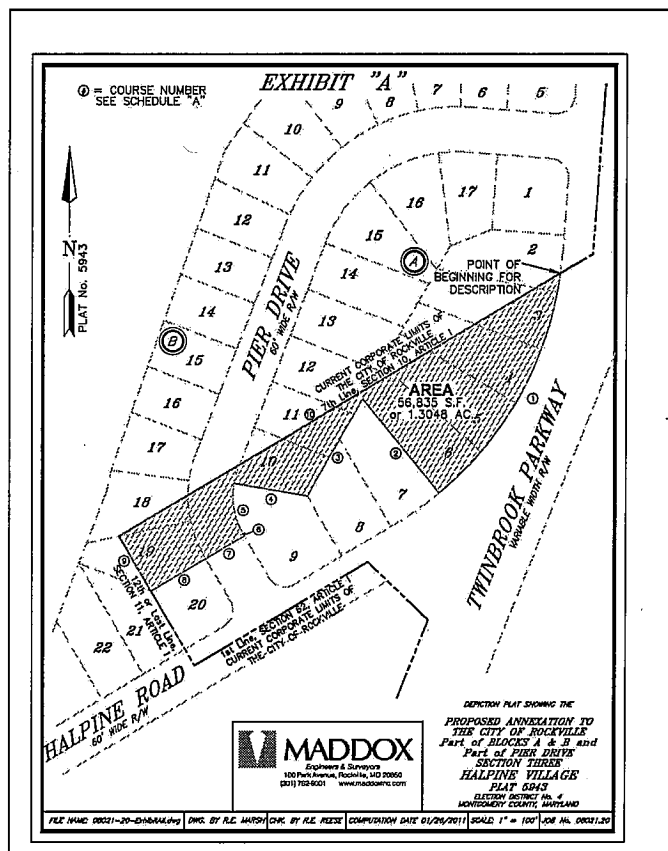
### Petitioners:

Mayor and Council, City of Rockville, 111 Maryland Avenue, Rockville, Maryland 20850

### Location:

The ten parcels proposed for annexation are located along the southeast border of the City, along Twinbrook Parkway, Halpine Road and Pier Drive at the listed addresses. Exhibit A shows the entire area to be annexed. The area proposed for annexation is approximately 1.3048 acres or 56,835 square feet and includes some right-of-way along Pier Drive and parts of the following-

- 5624 Pier Dr (lot 10)
- 5622 Pier Dr (lot 11)
- 5620 Pier Dr (lot 12)
- 12906 Twinbrook Parkway (lot 2)
- 5629 Pier Dr (lot 19)
- 5627 Pier Dr (lot 18)
- 5611 Halpine Road (lot 6)
- 12900 Twinbrook Parkway (lot 5)
- 12902 Twinbrook Parkway (lot 4)
- 12904 Twinbrook Parkway (Lot 3)



<sup>1</sup> HB 1141 passes by the 2006 General Assembly and made into law, revised sections of Article 66B and 23A of the Annotated Code of Maryland.

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The metes and bounds description of the proposed annexation is included as Attachment A.

## **Background**

During the 2009 Maryland Legislative Session, new legislation was passed (Senate Bill 350 and House Bill 220) that address situations in which properties straddle city boundaries by being partially within and partially outside of a city. Pursuant to the legislation, a city may initiate annexation of such properties without needing to follow all of the normal annexation provisions regarding obtaining the consent from property owners, as is normally mandated per Article 23A, Section 19 of the Annotated Code of Maryland. All other requirements of Article 23A remain in effect under the 2009 legislation.

In order for a property to be eligible under the 2009 legislation, the following conditions must be true with respect to the property, as stated in SB350:

- (i) 5 acres or less; and
- (ii) Part of a lot that contains:
  1. At least one other parcel that is already within the Municipal Corporate Area;
  2. Only parcels that have been included in the Municipal Corporate area for 3 years or more; and
  3. A Municipal corporation may not annex more than 25 acres, regardless of the number of parcels or lots annexed, under provisions of this subsection.

The stated provisions took effect on October 1, 2009 and remain effective for a period of two years. The provisions will "sunset" on September 30, 2011.

## **Land Use Patterns of areas proposed to be annexed**

The area of annexation is approximately 1.3048 acres (or 56,835 square feet).

### Existing and proposed zoning and land use:

The existing zoning in the County is R-60 (Single Family Residential). The City's proposed zoning for properties to be annexed is R-60 (Single Family Detached Dwelling Residential Zone), which is consistent with the County zoning and that of the adjacent properties. The current land use on the subject annexation is compliant with the City Zoning Ordinance, fulfills the requirements and purposes of the zone and is compatible with the surrounding community. There are ten single-family homes existing on each of the ten properties. If annexed, there are no changes proposed to the existing uses.

### Compliance with Montgomery County Master Plan:

The existing development on the site is consistent with the County Master Plan, the Twinbrook Sector Plan as adopted by the Maryland National Parks and Planning Commission on December 2009, and amended and adopted on January 2009.

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## **Adequacy of Public Facilities**

### Water and Sewer:

The Washington Suburban Sanitary Commission (WSSC) currently provides public water and sewer services to the properties within the annexation area. No changes in service will occur as a result of the annexation.

### Roads:

The existing public roads are adequate to serve the properties within the annexation area. Twinbrook Parkway remains the maintenance responsibility of Montgomery County. The City of Rockville and Montgomery County maintain portions of Halpine Road and Pier Drive. The City of Rockville will assume maintenance responsibility for the additional area of Pier Drive that is included in the annexation area.

### Police Services:

Police protection will primarily be provided by Rockville Police Department in conjunction with the Montgomery County Police Department. County Police District 1 serves Rockville, though the resources of the entire County Department are available if needed.

### Fire, EMS and Rescue Services:

No significant impacts on emergency services and public schools are anticipated as a result of this annexation since there are no proposed changes to existing uses. The Montgomery County Fire and Emergency Services (MCFRS) provides fire and disaster protection. Rockville does not provide this service as a part of its municipal government. There are two fire stations in Rockville, Station 3 and Station 23 that serve this neighborhood, although other stations are available to supplement service (such as Station 21 in Kensington).

### School Services:

No impacts on Montgomery County Public Schools systems are anticipated as a result of this annexation since there are no proposed changes to existing uses. The ten properties in the proposed annexation currently have ten single-family homes that are currently served by Twinbrook Elementary School, Julius West Middle School and Richard Montgomery High School.

### Parks and Recreation/Public Libraries:

Similarly, parks and recreation facility expansion are not proposed for this annexation since no additional impact is anticipated as a result of this annexation. Since no additional residential units are proposed as a result of the annexation, there are no impacts to the Montgomery County Public Library systems.

### Stormwater Management:

If annexed, all properties shall be required to pay an annual Stormwater Management Utility Fee

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in accordance with Section 19-36 of the Rockville City Code. The City Stormwater Management Utility Fee will replace the Water Quality Protection Charge, an annual fee assessed by the Montgomery County Department of Environmental Protection. City of Rockville properties are exempted from the Montgomery County Water Quality Protection Charge.

Impact on sensitive environmental areas:

Since there is no development planned on the site, there are no impacts to the environmental resources on or immediately adjacent to the site.

Cost to the City on having to provide such services:

The City will not incur any significant increases in operational costs as a result of the annexation.

In summary, the proposed area to be annexed is consistent with the County and the City Master Plans, fulfills the purposes and requirements of the zone, and is compatible with the surrounding community. There are minimal consequences and impacts in terms of the services that the City of Rockville will provide to the property owners.

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## Attachment A

District No. 04  
Account Nos.: 169832, 49302, 54206, 48375  
49825, 169978, 169683,  
169227, 56490, 55347

### SCHEDULE "A"

DESCRIPTION  
PROPOSED ANNEXATION AREA TO  
THE CITY OF ROCKVILLE  
Parts of BLOCKS A & B and Part of PIER DRIVE  
SECTION THREE, HALPINE VILLAGE  
Plat No. 5943  
Election District No. 04  
Montgomery County, Maryland

**Being** parts of Lots 2, 3, 4, 5, 6, 10, 11, & 12, Block A; parts of Lots 18 & 19, Block B; and part of Pier Drive; as shown on the subdivision record plat entitled, "HALPINE VILLAGE, SECTION THREE", dated June 1, 1950, recorded as Plat Number 5943 among the Land Records of Montgomery County, Maryland; and being more particularly described as follows:

**Beginning** for the same at a point where the present corporate limits (7<sup>th</sup> line, Section 10, Article I, Charter of the City of Rockville, Maryland) intersect with the westerly right of way line of Twinbrook Parkway (formerly Halpine Road), along the frontage of Lot 2, Block A, Section Three, HALPINE VILLAGE, shown on the above referenced subdivision record plat, thence running with said right of way line

**343.07 feet along a Curve to the Right having a Radius of 457.46 feet, Delta of 42°58'07", Chord Bearing and Distance of South 29°01'16" West 335.09 feet** to a point, thence running with the line of division between Lots 6 & 7, Block A, of said subdivision

**North 39°29'41" West 162.72 feet** to a point, thence running with the rear lines of Lots 7, 8, 10, 11, and part of the rear line of Lot 12, Block A, of said subdivision

**South 30°00'00" West 149.50 feet** to a point, thence running with the line of division between Lots 9 & 10, Block A, of said subdivision

**North 80°20'13" West 100.00 feet** to a point on the easterly right of way line of Pier Drive, thence with said right of way line

**70.26 feet along a Curve to the Left having a Radius of 100.00 feet, Delta of 40°15'24", Chord Bearing and Distance of South 10°27'55" East 68.82 feet** to a point of tangency, thence

**South 30°35'37" East 2.86 feet** to a point, thence crossing said Pier Drive

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**South 59°24'23" West 60.00 feet** to a point on the westerly right of way line of Pier Drive and at the corner common to Lots 19 and 20, Block B, "HALPINE VILLAGE, SECTION 3" aforesaid, thence leaving said westerly right of way and running with the line of division between said Lots 19 and 20, still

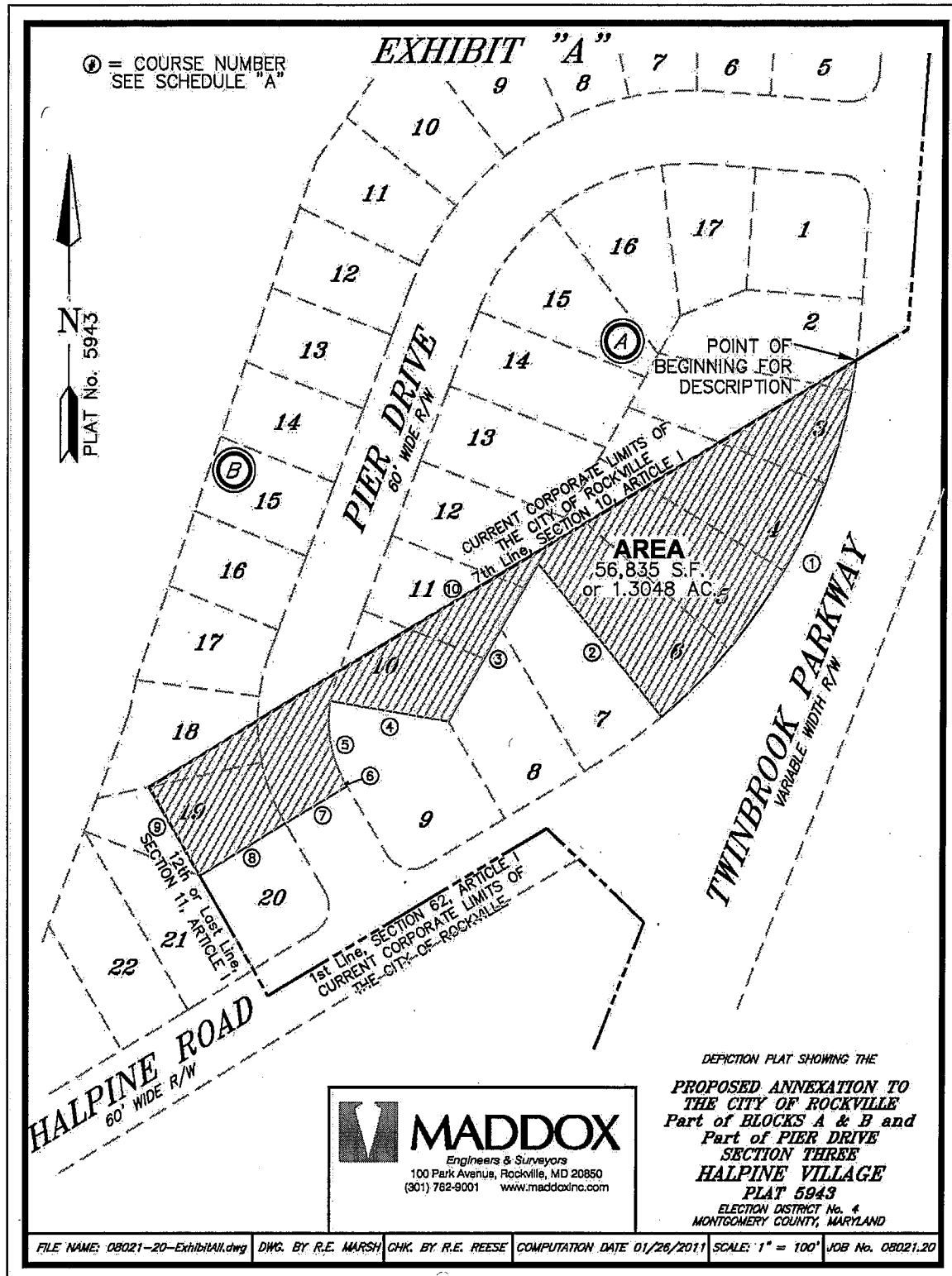
**South 59°24'23" West 85.00 feet** to a point at the rear corner of said Lot 20, said point also being on the present corporate limits (12<sup>th</sup> or Last line, Section 11, Article I, Charter of the City of Rockville, Maryland), thence with said limits

**North 30°35'37" West 85.00 feet** to a point, thence

**North 59°24'23" East 689.47 feet** to the place of beginning containing 56,835 square feet or 1.3048 acres of land, more or less, as computed January 26, 2011 by Maddox Engineers & Surveyors, Inc., Job No. 08021-20.



Adopted by the Mayor and Council of Rockville, at its meeting on May 2, 2011





## NOTICE OF HEARING

Notice is hereby given that the Mayor and Council of Rockville, Maryland will conduct a public hearing on Monday, June 6, 2011, at 7:00 p.m., or as soon thereafter as it may be heard, in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland 20850 in connection with Annexation Petition ANX2011-00141, Mayor and Council of Rockville, Petitioner. The Mayor and Council propose to enlarge the boundaries of the City of Rockville by adding an area of land totaling 1.0348 acres of land, more or less, located on the southeast border of the City of Rockville in the Halpine Village Subdivision along Pier Drive, Halpine Road and Twinbrook Parkway, including some right-of-way on Pier Drive and parts of the following properties:

- 5620 Pier Drive, Rockville, MD (Lot 12)
- 5622 Pier Drive, Rockville, MD (Lot 11)
- 5624 Pier Drive, Rockville, MD (lot 10)
- 5627 Pier Drive, Rockville, MD (Lot 18)
- 5629 Pier Drive, Rockville, MD (Lot 19)
- 5611 Halpine Road, Rockville, MD (Lot 6)
- 12900 Twinbrook Parkway, Rockville, MD (Lot 5)
- 12902 Twinbrook Parkway, Rockville, MD (Lot 4)
- 12904 Twinbrook Parkway, Rockville, MD (Lot 3)
- 12906 Twinbrook Parkway, Rockville, MD (Lot 2)

The proposed zoning under the City of Rockville Zoning Ordinance is R-60, Single Family Detached Dwelling Residential Zone.

More detailed information can be found on file in the office of the City Clerk or by emailing Manisha Tewari, Planner at [mtewari@rockvillemd.gov](mailto:mtewari@rockvillemd.gov) or by calling (240) 314-8213. Persons wishing to have their names placed on the speakers' list for the Mayor and Council hearing are asked to call 240-314-8280 by 4:00 p.m. on the day of the hearing.

By: Glenda P. Evans, City Clerk